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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

- against -

XIAOYU XIA and YANTING HU,

Defendants.

15 Civ. 03320 (WHP)

**RULE 26(f) REPORT AND
DISCOVERY PLAN**

ECF CASE

Plaintiff Securities and Exchange Commission (the “Commission”) and Defendants Xiaoyu Xia (“Xia”) and Yanting Hu (“Hu”) (collectively, the “parties”), by and through counsel, hereby give notice that the parties participated in a telephonic conference call on May 27, 2015 as required by Fed. R. Civ. P. 26(f) and the Court’s Order for Initial Pretrial Conference (Doc. #22). The parties provide this Rule 26(f) Report and Discovery Plan as follows:

1. Attorneys of record present at conference

Dugan W.E. Bliss
L. James Lyman
Attorneys for Plaintiff

Jonathan Streeter
Attorney for Defendant Xia

Jason Canales
Attorney for Defendant Hu

2. Certification

Undersigned counsel certify that they have discussed the nature and basis of the parties' claims and defenses and any possibilities for achieving a prompt settlement or other resolution of the case. The parties also discussed the preservation of electronically stored information, to the extent any such information exists, and the form in which any such information should be produced. The parties have developed the following proposed discovery plan.

3. Discovery Plan and Proposed Schedule

Under the Court's prior Order to Show Cause (Doc. # 9), Stipulated Order for an Asset Freeze and Other Relief as to Defendant Xia (Doc. # 18), Order for an Asset Freeze and Other Relief as to Defendant Hu (Doc. #19), and Order Granting letter Motion for Extension of Time (Doc. # 26), the Defendants are subject to expedited discovery requests and deposition notices, which were served on April 29, 2015, with additional discovery requests to Defendant Xia served on May 15, 2015. Additionally, through the Court's Orders, the Commission and Defendant Xia agreed to, and the Court ordered, an extension of time in which to respond to expedited discovery and the Commission's Complaint. The parties jointly request that the following deadlines in this proposed discovery plan supersede existing case deadlines:

July 31, 2015:	Defendants' Responses to Plaintiff's Expedited Discovery
July 31, 2015:	Parties' Rule 26(a) Initial Disclosures
August 14, 2015:	Plaintiff will file an Amended Complaint
September 4, 2015:	Defendants' Response to Plaintiff's Amended Complaint
TBD:	All other case deadlines pending completion of expedited discovery and the filing of Defendants' responsive pleadings.

The parties state that the Commission has received third-party expedited discovery, which will be provided to Defendants upon entry of a joint proposed protective order. Based on that new discovery, as well as anticipated expedited discovery responses from Defendants that are due by July 31, 2015, the Commission will file an Amended Complaint. Additionally, due to issues arising from the fact that both Defendants are not citizens of the United States, reside in China, and are subject to the laws of China, Defendants' counsel represent that the requested extensions are necessary to determine how to respond to the Commission's expedited discovery. The Commission has agreed to the requested extensions given the continuing asset freezes in place on Defendants' brokerage accounts.

The Commission further states that prior counsel representing Defendant Xia, on behalf of Defendant Xia, agreed that Defendant Xia would be deposed in Hong Kong as soon as reasonably practicable after written expedited discovery responses are served on a date mutually agreeable between Defendant Xia and the Commission (Doc. #18). Current counsel representing Defendant Xia is evaluating the permissibility of such discovery. The Commission will similarly seek to depose Defendant Hu as soon as reasonably practicable after written expedited discovery responses are served. Counsel for Defendant Hu has not agreed to produce her for a deposition in Hong Kong but will take the Commission's request to do so under advisement. If it becomes necessary, the Commission will move to compel depositions and discovery responses from Defendants.

Other than as stated above, the parties do not request any further changes in the limitations on discovery imposed under the Federal Rules of Civil Procedure or by Local Rule at this time.

The parties anticipate that discovery will be necessary as to the claims and factual allegations in the Commission's Complaint and Amended Complaint, as well as Defendants' responses and defenses thereto. The parties have agreed to preserve electronic documents to the extent any such documents exist. The parties will seek a stipulated protective order and will address any issues of privilege or the legality of obtaining discovery from China as they arise.

Lead counsel for each of the parties will be present at the Initial Pretrial Conference on June 5, 2015 at 11:00 a.m. and will be prepared to discuss settlement, contemplated motions, stipulating facts, narrowing issues, fixing a discovery schedule, and setting a date for trial.

Dated: May 29, 2015

s/Dugan W.E. Bliss
Dugan W.E. Bliss (admitted *pro hac*)
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CERTIFICATE OF SERVICE

I hereby certify that on May 29, 2015, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system.

s/ Nicole L. Nesvig